

HOUSE No. 1657

By Mr. Golden of Lowell, petition of Thomas A. Golden, Jr., and Steven C. Panagiotakos relative to fees charged by intermediaries procuring public contracts. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO PRESERVING THE SANCTITY OF CHAPTER 30B.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 30B of the General Laws, as appearing in the 2002
2 Official Edition, is hereby amended by inserting at the end
3 thereof, the following new section:—
4 Section 20. To ensure the lowest price is made available to the
5 commonwealth, municipalities, cities and regional buying cooper-
6 atives, no procuring agency or procurement intermediary shall
7 charge an administrative fee exceeding the actual cost for admin-
8 istering a bid process. Furthermore, no procuring agency or pro-
9 curement intermediary shall promote the services or products of a
10 vendor unless they can certify that the services or products offered
11 are the lowest available in the commonwealth and the vendor has
12 an existing and appropriate state, municipal or regional contract.
13 Promoting the services or products of a vendor shall include, but
14 not be limited to: engaging in direct mailing, telemarketing, per-
15 sonal contact or advertising on behalf of a vendor or the afore-
16 mentioned vendor's services or products.